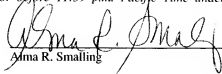


PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

*I hereby certify that this correspondence is being electronically filed with the United States Patent and Trademark Office on August 28, 2009 at or before 11:59 p.m. Pacific Time under the Rules of 37 CFR § 1.8.*

  
Alma R. Smalling

Appl No. : 10/590,761 Confirmation No. 7304  
Applicant : Harukazu Kitagawa, et al.  
Filed : August 24, 2006  
Title : IMMUNOSTIMULATORY OLIGONUCLEOTIDE THAT INDUCES  
INTERFERON ALPHA  
TC/A.U. : 1633  
Examiner : Epps Smith, Janet L.  
Docket No. : 58270/A400  
Customer No. : 23363

**RESPONSE AND DECLARATION UNDER 37 CFR 1.132 WITH RCE**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Post Office Box 7068  
Pasadena, CA 91109-7068  
August 28, 2009

Commissioner:

In response to the Office action of April 15, 2009, please consider the following remarks and attachments with respect to the above-identified application as follows:

**Remarks/Arguments** begin on page 2 of this paper.

**A Declaration under 37 CFR 1.132, with Exhibit A**, is being transmitted along with this amendment.